

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

RUBY L. CRAWFORD,

Plaintiff,

vs.

Case No. 12-13532-JAC-MAR  
Honorable Julian Abele Cook

WAL-MART STORES EAST, L.P.,  
  
Defendant.

Magistrate Judge Mark A. Random  
Lower Court Case No. 2012-98689-NO

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**DEFENDANT WAL-MART STORES EAST, L.P.'S**  
**NOTICE OF NON-PARTY FAULT**

NOW COMES Defendant, WAL-MART STORES EAST, L.P. ("Defendant"), by and through its attorneys, ZAUSMER, KAUFMAN, AUGUST, CALDWELL & TAYLER, P.C., and hereby gives notice, pursuant to MCL §§ 600.6304 and 600.2957; and MCR 2.112(K), that at the time of trial it will be asserted that the non-party who was allegedly pushing and/or in control of the cart that Plaintiff claims struck her is partially and/or wholly responsible for Plaintiff's alleged injuries/damages. Based on the information known to date, the person who was pushing and/or in control of the cart described in Plaintiff's Complaint is not a Wal-Mart employee. Defendant is in the process of locating information surrounding this non-party. Defendant

reserves the right to supplement and/or modify this Notice of Non-Party Fault as discovery is ongoing.

Respectfully Submitted,

ZAUSMER, KAUFMAN, AUGUST,  
CALDWELL & TAYLER, P.C.

/s/ Nicole M. Wright  
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Dated: December 3, 2012

**CERTIFICATE OF SERVICE**

I hereby certify that on December 3, 2012, I electronically filed the foregoing paper with the Clerk of the Court, using the ECF system which will send notification of such filing to the following:

Edwin W. Jackway at [tped41@aol.com](mailto:tped41@aol.com)

/s/ Gastina Gandy  
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